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For Better or Worse, He's on It

■ Rep. Henry Waxman knows how to make the GOP squirm. He's the general of an army of investigators who churn out unsparing reports.

By FAYE FIORE
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WASHINGTON — Just another Tuesday afternoon and the far-flung offices of the WBI — the Waxman Bureau of Investigation, a.k.a. the self-appointed Inspector General of the World — are buzzing.

Hunched over a table in the Rayburn House Office Building, close enough to the kitchen to smell the reheated spaghetti, an investigator hunts for signs of corporate misconduct. Two floors down, in a basement cubbyhole, a former MIT scientist is busy discovering that some seniors can do better at Costco than through the new Medicare prescription plan. Up the block, at another outpost, a researcher has spread out Dick Cheney's personal finances to see how the latest GOP tax cuts will benefit administration blue-bloods. Nearby, staff lawyers look at clean-air regulations, AIDS funding and whether a Wilshire Boulevard renovation project will make traffic worse.

Meanwhile, back in the main office, legislative aides are finishing up a bill to end global warming. World peace may have to wait until Wednesday.

By most measures, Democratic Rep. Henry A. Waxman, 66, of Los Angeles ought to be one of the most irrelevant elected officials in Washington. He's been in Washington since 1974, but his party is in the minority. He is an unapologetic liberal in a Capitol dominated by uncompromising conservatives. And his public utterances are so unflinchingly partisan that he has little capacity to get cooperation from his Republican colleagues. He also contributes to the toxic political climate that many decry in present-day Washington.

Yet at a time when many of his Democratic colleagues have spent the last decade in a defensive crouch, outmaneuvered by their GOP rivals, Waxman has found another way to have an impact — going outside normal legislative channels to exert influence on issues he cares about. In the process, he has also made himself into what many Republicans consider the biggest pest east of the Mississippi.

The key to Waxman's unlikely success is this: He has assumed a big chunk of the watchdog role usually filled by the entire Congress, probing deep into government programs and problems to oversee a president and GOP he believes have run amok.

As ranking Democrat on the Government Reform Committee — the chief oversight body of the House — Waxman has leveraged every scrap of his party's resources. He has poked and prodded the Bush administration on Iraq's elusive weapons of mass destruction, on faulty prewar intelligence and on Halliburton's questionable contracts.

He has thrown up roadblocks to protect environmental laws he helped pass when Democrats controlled the Hill, including clean-air and food safety rules. He nettles and needles, firing off blistering letters to agency directors, Army generals, the GOP leadership and the president.

But the most effective weapon in Waxman's arsenal is a staff of high-powered lawyers, investigators and technical experts who churn out a steady stream of penetrating and fact-laden reports. Many find their way into headlines.

The research Waxman's staff generates is so strong and so pointed it gives his GOP colleagues heartburn, including Rep. Thomas M. Davis III, (R-Va.), who chairs the Government Reform Committee.

"Henry Waxman, left to his own devices, is not a welcome sight for Republicans," Davis said.

Kevin Madden, a spokesman for House Majority Leader John Boehner (R-Ohio), complained that Waxman often chose his research targets primarily to get publicity. "There's a big difference between responsible oversight, and . . . investigations charades which are merely in search of a headline," he said. "It gets to a point where it's more shtick than substance."

Journalists, advocacy groups and Democratic colleagues who make use of Waxman's research counter that even if his motives are political, the public gains valuable information about issues, such as how the new Medicare drug benefit is working. That, in turn, can affect public opinion and drive public policy.

And should Democrats recapture the House in November, Waxman is in line to chair the oversight committee, which would give him more staff and the authority to issue subpoenas and call hearings on virtually anything relating to industry or government.

Investigative reporters in Washington agree that — partisan as Waxman is — his staff research is highly reliable. Chief Counsel Phil Barnett, the final gatekeeper, vets every report the office releases.

The impact of the research is increased by the close relationship members of Waxman's staff maintain with news reporters, especially investigative ones. Phil Schilliro, the congressman's veteran chief of staff, is on a first-name basis with members of most major news organizations in Washington.

Communications Director Karen Lightfoot keeps tabs on what selected reporters are working on.

As a result, without holding a lot of news conferences — as many longer-winded colleagues do — Waxman and his staff are able to spread their findings to large audiences.

“Like blowing on a dandelion,” Schilliro said.

Waxman’s critics say his beliefs are unbending and his efforts confined to favorite targets of liberals — especially the tobacco and insurance industries, chemical companies and the GOP.

Conservatives liken him to a male Jane Fonda or a liberal version of their own Tom DeLay, the disgraced former House majority leader known for his intense partisanship.

“It is clear his interest has always been more focused on using his position for partisan attack rather than legislative achievement. Ultimately, I do not believe his efforts would really help the Democrats’ position or image,” said Bill McInturff, a Republican

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Rep. Tom Davis, (R-Va.),
chair of the Government Reform Committee, where Waxman is ranking Democrat

pollster.

Five-foot-five, bald and bespectacled, Waxman looks more like an industrious bean counter than a scourge. His chic district, which includes Santa Monica, Bel-Air and West Hollywood, qualifies him as Congressman to the Stars, but although he is well-connected, he avoids the glitz.

Celebrities embrace his causes, but he has never attended the Oscars. His idea of an ideal evening is taking a walk with his wife, Janet, their iPods synchronized.

Raised above a grocery store near Watts, Waxman traces his liberal roots to his childhood. His mother sent him to school wearing an Adlai Stevenson button, which his teachers made him take off. His father was a member of the Retail Clerks Union, Local #770, which provided medical benefits and left Waxman with a lifelong commitment to accessible healthcare.

Waxman’s name is hardly a household word in the heartland, but back when Democrats ruled Congress, he was a leader among those who pushed for landmark laws it’s now hard to remember life without: nutrition labels on food, smoke-free airplanes, the Clean Air Act, safe drinking water, Ryan White AIDS legislation, nursing home regulation, access to generic and rare drugs, toy safety and reducing pesticides in food.

That was before 1994, when a tidal wave of voter anger swept House Democrats from power for the first time in 40 years. Waxman lost control of the subcommittee on health and the environment. He found himself shut out of conference committees, gagged during debates and banished from the lawmaking process.

And his intense partisanship contributed to his isolation.

So he looked for a different way to have impact on public issues. “I had to re-create myself as a member of Congress,” Waxman said.

He turned to oversight, the traditional congressional practice of delving into federal programs and agencies to see whether they are operating effectively. His greatest weapon proved to be as basic as it was powerful: information, in the form of documented research dug up by his Washington staff of 45.

They have cranked out about 2,000 reports on an expanse of topics since Waxman became the committee’s ranking Democrat eight years ago, building a vault of data on his congressional website that is accessible to the press and the public.

Some have a partisan edge: a file called “Iraq on the Record” chronicles “misleading statements” by Bush and his Cabinet leading up to the war. But many topics go beyond politics: “Steroids in Sports” exposed the Major League Baseball scandal and landed the baseball-clueless Waxman all over ESPN. (When star players showed up to testify, he didn’t recognize them.)

Waxman’s team consists of his personal office and aides on the committee’s Democratic side. All congressional staffers, whether committee or personal, are paid by Congress. His 45 staff members — not an unusual number for a congressman who is ranking member of a committee — work in locations scattered

around Capitol Hill, which is notorious for its cramped and spartan conditions.

On this particular Tuesday, Brian Cohen is in his windowless warren, pulling together yet another report, this one on prescription costs for seniors in New York. Costco is beating the government’s new Medicare benefit by a long shot.

In his previous life, Cohen, 38, was an MIT scientist; here, he is the quintessential Waxman staffer. He could double his salary in the private sector. Instead, he works at a desk just big enough for a computer, a family picture and a banana. He says he does it because he believes he’s performing a public service.

Though most staff research is issued in the congressman’s name, this report will be released under the name of Rep. Carolyn Maloney, Democrat from New York; Waxman won’t be mentioned.

It is an idea the congressman came up with to expand his reach while in the minority. Any lawmaker in Congress can request a study tailor-made for a particular district. Waxman’s staff plugs in local figures; the same model can produce as many as 100 different analyses. Local newspapers usually pick them up and a spotlight is trained on an issue the White House or majority party prefers not to highlight. Cohen has done close to 1,000 of them.

“Ronald Reagan used to say it’s amazing what you can get done when you’re not out to get credit for it,” the congressman said. “That’s not to say I don’t want some credit; I am a politician. But it’s more important to get things done.”

Waxman says he does not aspire to higher office, so he doesn’t need more publicity than he already gets. Still, he pops up in places like Ladies’ Home Journal, and footage from his more publicized hearings has turned up in three films, most recently “Thank You for Smoking,” which he hasn’t seen.

Waxman does not have to worry about the everyday political concerns that consume most of his colleagues’ time and energy. In 30 years, his district has never sent him to Washington with less than 61% of the vote. He does not campaign, makes no TV ads, doesn’t so much as put up a yard sign.

Freed from the incessant demands of campaigning, he will spend decades working on an issue — the Clean Air Act alone took 10 years to usher into law — and he goes to unusual lengths to get what he wants, sometimes tapping his extensive Hollywood connections.